

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**MONDAY, NOVEMBER 07, 2016**

**2014-IA-00854-SCT**    *TRK, LLC d/b/a Timber Ridge Townhouse Apartments, B&B*

*Management Group, LLC and Tara Burnside v. Vivian Myles, Individually and on Behalf of all Wrongful Death Beneficiaries of Enrique L. Myles, Deceased and/or L.J.W., a Minor, by and through Her Mother and Next Friend, Janna Warnsley*

(Sub.)                      Hon. Winston L. Kidd, Ruling Judge, Hinds County Circuit Court  
(10 vols.)

APPELLANT - James Wyly, III, Phelps Dunbar, L.L.P., Gulfport

APPELLEE - Bernard C. Jones, Jr., Jones, Jones & Mosley,

Ridgeland; J. Ashley Ogden, Ogden & Assoc., Jackson

**2015-KA-00901-SCT**    *Eugene Martin a/k/a E. Martin v. State of Mississippi*

(Sub.)                      Hon. Lee Sorrels Coleman, Ruling Judge, Lowndes County Circuit Court  
(2 vols.)

APPELLANT - Mollie McMillin, Office of State Public Defender, Jackson

APPELLEE - Kaylyn McClinton, Office of the Attorney General, Jackson

**2015-IA-00999-SCT**    *Roberts Company, Inc. f/k/a R & M Foods, Inc. v. Marcus Moore*

(Sub.)                      Hon. Winston L. Kidd, Ruling Judge, Hinds County Circuit Court  
(23 vols.)

APPELLANT - La'Verne Edney, Baker Donelson Bearman Caldwell & Berkowitz, PC, Jackson

APPELLEE - Crystal Wise Martin, Precious Martin & Associates, Jackson

**2015-CA-01193-SCT**    *A. Randall Harris v. State of Mississippi*

(Sub.)                      Hon. Jeff Weill, Sr., Ruling Judge, Hinds County Circuit Court  
(3 vols.)

APPELLANT - David McCarty, Jackson

APPELLEE - Abbie Koonce, Office of the Attorney General, Jackson

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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**MONDAY, NOVEMBER 07, 2016**

**2015-CA-01405-SCT**    *Ground Control, LLC d/b/a Ground Cont. of Alabama, LLC and*

*Frank Beaton v. Capsco Industries, Inc, W.G. Yates & Sons  
Construction Company, Harrah's Entertainment, Inc. and  
Christopher Killion*

(Sub.)                      Hon. Roger T. Clark, Ruling Judge, Harrison County Circuit Court  
(28 vols.)

APPELLANT - Blewett Thomas, Columbus

APPELLEE - Roderick Alexander, Jr., Balch & Bingham LLP,  
Gulfport

**2015-CA-01423-SCT**    *Estate of Richard B. Davis, by and through its Executrix, Janice*

*Y. Davis v. Darrell N. Blaylock, MD d/b/a Blaylock Medical  
Clinic, LLC*

(Sub.)                      Hon. W. Ashley Hines, Ruling Judge, Washington County Circuit  
Court  
(3 vols.)

APPELLANT - Levi Boone, Cleveland

APPELLEE - Jacob Malatesta, Jackson

**CONSOLIDATED WITH:**

**2015-CA-01425-SCT**    *Estate of Richard B. Davis by and Through its Executrix Janice*

*Y. Davis v. Delta Regional Medical Center*

Hon. W. Ashley Hines, Ruling Judge, Washington County Circuit  
Court

APPELLANT - Levi Boone, Cleveland

APPELLEE - P. Scott Phillips, Campbell DeLong, LLP, Greenville

**CONSOLIDATED WITH:**

**2015-CA-01427-SCT**    *Estate of Richard B. Davis, by and through its Executrix, Janice*

*Y. Davis v. Delta Regional Medical Center*

Hon. W. Ashley Hines, Ruling Judge, Washington County Circuit  
Court

APPELLANT - No Brief Filed

APPELLEE - P. Scott Phillips, Campbell DeLong, LLP, Greenville

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**SUBMITTED CASES**

**MONDAY, NOVEMBER 07, 2016**

**2015-SA-01464-SCT**    *Baptist Memorial Hospital-DeSoto, Inc. d/b/a Baptist Memorial*

*Hospital-DeSoto v. Mississippi State Department of Health and  
Methodist Healthcare-Olive Branch Hospital*

(Sub.)    Hon. Denise Owens, Ruling Judge, Hinds County Chancery Court  
(4 vols.)

APPELLANT - Barry Cockrell, Baker Donelson Bearman &  
Caldwell, PC, Jackson

APPELLEE - Kathryn Gilchrist, Ridgeland

**2015-CA-01865-SCT**    *Pemberton Properties, LTD d/b/a Pemberton Apartments, Park*

*Villa, LLC d/b/a East Villa Apartments, Pearl Partners, LP d/b/a  
Colony Park Apartments, Colony Park II, LLC d/b/a Grande at  
Colony Park Apartments, Albert Moore Home Builders, Inc. d/b/a  
Colonial Terrace Apartments, Wood Glen, LLC d/b/a Wood Glen  
Apartments, Steve Maulding d/b/a Bavarian Garden Apartments,  
Steve Maulding d/b/a Pearl Manor Apartments, Sheila Maulding  
d/b/a 468 Place Townhomes and WPB Properties, LLC d/b/a Fox  
Run Apartments v. The Mayor and Board of Aldermen of the City  
of Pearl, Mississippi*

(Sub.)    Hon. William E. Chapman, III, Ruling Judge, Rankin County  
Circuit Court

(3 vols.)

APPELLANT - Steven H. Smith, Jackson; Samac Richardson,  
Brandon

APPELLEE - James Bobo, City of Pearl, Pearl

**2016-JP-00927-SCT**    *Mississippi Commission on Judicial Performance v. Judge Keith*

*Stokes Roberts*

(Sub.)    Hon. James Lamar Roberts, Jr., Ruling Judge  
(4 vols.)

APPELLANT - Darlene Ballard, Mississippi Commission on  
Judicial Performance, Jackson

APPELLEE - Roger Kirk, Gore Kilpatrick Purdie Metz & Adcock,  
Grenada

**IN THE SUPREME COURT**  
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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**TUESDAY, NOVEMBER 08, 2016**

**2015-KA-00772-SCT**    *Kendall Martin a/k/a Kendall Deval Martin v. State of Mississippi*

(Sub.)                      Hon. William E. Chapman, III, Ruling Judge, Rankin County  
Circuit Court  
(4 vols.)  
APPELLANT - Todd Coker, Brandon  
APPELLEE - Billy Gore, Office of the Attorney General, Jackson

**2015-CA-01195-SCT**    *Greg Spore v. State of Mississippi*

(Sub.)                      Hon. Jeff Weill, Sr., Ruling Judge, Hinds County Circuit Court  
(2 vols.)  
APPELLANT - Jeffrey Graves, Sweet & Associates, Jackson  
APPELLEE - Joseph Hemleben, Office of the Attorney General,  
Jackson

**2015-KA-01205-SCT**    *Byron Perry a/k/a Byron Levar Perry a/k/a Byron L. Perry v. State  
of Mississippi*

(Sub.)                      Hon. Lee Sorrels Coleman, Ruling Judge, Clay County Circuit  
Court  
(5 vols.)  
APPELLANT - Justin Cook, Office of State Public Defender,  
Jackson  
APPELLEE - Laura Tedder, Office of the Attorney General,  
Jackson

**2015-KA-01417-SCT**    *Howard Lindsey v. State of Mississippi*

(Sub.)                      Hon. Eddie H. Bowen, Ruling Judge, Covington County Circuit  
Court  
(4 vols.)  
APPELLANT - Merrida Coxwell, Coxwell & Associates, PLLC,  
Jackson  
APPELLEE - Scott Stuart, Office of the Attorney General, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**TUESDAY, NOVEMBER 08, 2016**

**2015-CA-01909-SCT**    *Marshall L. Fisher, Earnest Lee and Verlana Flagg v. Alex Virgil*

***Sumrall a/k/a Alex V. Sumrall a/k/a Alex Sumrall***

(Sub.)                      Hon. W. Ashley Hines, Ruling Judge, Sunflower County Circuit  
Court  
(1 vol.)

APPELLANT - Darrell Baughn, Jackson

APPELLEE - Pro Se

**2016-IA-00133-SCT**    *Estate of Katherine M. Lyons, Deceased: Anthony Lobred v.*

***Larry Lyons***

(Sub.)                      Hon. Vicki R. Barnes, Ruling Judge, Warren County Chancery  
Court  
(3 vols.)

APPELLANT - David Sessums, Vicksburg

APPELLEE - Henry Andrews, Jr., Vicksburg

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**WEDNESDAY, NOVEMBER 09, 2016**

**2015-CP-01049-SCT**    *Michael Drankus a/k/a Michael F. Drankus v. Mississippi Parole*

***Board***

(Sub.)                      Hon. W. Ashley Hines, Ruling Judge, Sunflower County Circuit Court  
(1 vol.)  
APPELLANT - Pro Se  
APPELLEE - Anthony Schmidt, Jr., Mississippi Department of Corrections, Jackson

**2015-KA-01062-SCT**    *Jesse Frank Mouton v. State of Mississippi*

(Sub.)                      Hon. Lisa P. Dodson, Ruling Judge, Harrison County Circuit Court  
(7 vols.)  
APPELLANT - Benjamin Suber, Office of State Public Defender, Jackson  
APPELLEE - Scott Stuart, Office of the Attorney General, Jackson

**2015-SA-01086-SCT**    *Rita Breece McIntosh v. Mississippi Real Estate Commission*

(Sub.)                      Hon. John Huey Emfinger, Ruling Judge, Rankin County Circuit Court  
(7 vols.)  
APPELLANT - K. F. Boackle, Boackle Law Firm, PLLC, Ridgeland  
APPELLEE - William Hussey, Maxey Wann, PLLC, Jackson

**2015-CA-01163-SCT**    *Ralph Arnold Smith, Jr. v. The State of Mississippi and the Office*

***of the District Attorney for the Fourth Circuit Court District of Mississippi***

(Sub.)                      Hon. Hollis McGehee, Ruling Judge, Leflore County Chancery Court  
(18 vols.)  
APPELLANT - William Bell, Bell Law Firm, PLLC, Ridgeland  
APPELLEE - Benny May, Office of the Attorney General, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**WEDNESDAY, NOVEMBER 09, 2016**

**2015-IA-01260-SCT**     *John K. Hamilton v. Kidron S. Wise Young*

(Sub.)                      Hon. Talmadge D. Littlejohn, Ruling Judge, Lee County Chancery Court  
(2 vols.)  
APPELLANT - William Smith, Booneville  
APPELLEE - Roy Parker, Jr., Tupelo

**2015-CA-01469-SCT**     *City of Pearl, Mississippi v. Homewood Company, L.L.C*

(Sub.)                      Hon. John Huey Emfinger, Ruling Judge, Rankin County Circuit Court  
(13 vols.)  
APPELLANT - James Bobo, Pearl  
APPELLEE - Justin Peterson, Jackson

**2015-KA-01776-SCT**     *Sam Hales v. State of Mississippi*

(Sub.)                      Hon. Eddie H. Bowen, Ruling Judge, Jasper County Circuit Court  
(3 vols.)  
APPELLANT - Benjamin Suber, Office of State Public Defender, Jackson  
APPELLEE - Laura Tedder, Office of the Attorney General, Jackson

**2015-CA-01907-SCT**     *Mississippi Department of Corrections v. Sandy Roberts*

(Sub.)                      Hon. W. Ashley Hines, Ruling Judge, Sunflower County Circuit Court  
(1 vol.)  
APPELLANT - Anthony Schmidt, Jr., Mississippi Department of Corrections, Jackson  
APPELLEE - Pro Se

**IN THE SUPREME COURT**  
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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**SUBMITTED CASES**

**WEDNESDAY, NOVEMBER 09, 2016**

**2016-SA-00110-SCT**    *Andy Barlow, D.C. v. Mississippi State Board of Chiropractic*

***Examiners***

(Sub.)                      Hon. Tomie T. Green, Ruling Judge, Hinds County Circuit Court  
(5 vols.)

APPELLANT - John Ott, McComb

APPELLEE - William Jernigan, Jackson

**2016-CA-00433-SCT**    *Mississippi Department of Corrections v. Martin Groot*

(Sub.)                      Hon. W. Ashley Hines, Ruling Judge, Sunflower County Circuit Court  
(1 vol.)

APPELLANT - Darrell Baughn, Jackson

APPELLEE - Pro Se

**2016-JP-01098-SCT**    *Mississippi Commission on Judicial Performance v. Charles L.*

***Vess***

(Sub.)                      Hon. James Lamar Roberts, Jr., Ruling Judge  
(2 vols.)

APPELLANT - Meagan Brittain, Jackson

APPELLEE - No Brief Filed



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**EN BANC COURTROOM**

**ARGUED CASES**

**MONDAY, NOVEMBER 14, 2016**

**2015-EC-01526-SCT**    *Rickey W. Thompson v. Attorney General of the State of*

*Mississippi, in His Individual and Official Capacities, Lee County  
Democratic Party Executive Committee, and Lee County Election  
Commission, and Marcus Crump*

(Arg.)

Hon. William A. Gowan, Jr., Ruling Judge, Hinds County Circuit  
Court

(2 vols.)

APPELLANT - Jim Waide, Waide and Associates, P.A., Tupelo;  
Carroll Rhodes, Hazelhurst

APPELLEE - Krissy Nobile, Office of the Attorney General,  
Jackson; William Murphree, Mitchell, McNutt & Sams, P.A.,  
Tupelo

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, NOVEMBER 16, 2016**

**2013-CA-02015-SCT**    *Floyd B. Austin, Marcus B. Austin, AA Food Services, Inc., Austin & Associates Services, Inc., Austin & Associates, Inc., M & M Contract Management, Inc., Meridian Food Services, LLC, Big A Auto Sales, Inc., Floyd Austin Properties, LLC, Austin Irrevocable Trust, Floyd B. Austin d/b/a Floyd B. Austin Food Service, PKA Services, Inc., Floyd B. Austin f/k/a PKA Services, Inc., Floyd B. Austin d/b/a Austin Farms v. Pamela K. Austin*  
(Arg.)                      Hon. C. Michael Malski, Ruling Judge, Alcorn County Chancery Court  
                                  (41 vols.)  
                                  APPELLANT - L. Dillard, Mitchell, McNutt & Sams, P.A., Tupelo;  
                                  Angela Brooks, Tupelo  
                                  APPELLEE - Gregory Hunsucker, Tupelo

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
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**MASTER DOCKET CALENDAR**  
**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**MONDAY, NOVEMBER 28, 2016**

**2015-CA-01566-SCT**    *Mississippi Department of Revenue v. James Alcorn Russell, III*

*a/k/a J.A. Russell d/b/a Russell Racing and Repair*

(Arg.)                      Hon. Patricia D. Wise, Ruling Judge, Hinds County Chancery Court  
                                  (10 vols.)

APPELLANT - Jon F. Carmer, Jr., Mississippi Department of  
Revenue, Jackson

APPELLEE - Glover A. Russell, Jr., Glover Russell, P.A., Jackson

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**TUESDAY, NOVEMBER 29, 2016**

**2015-CA-01555-SCT**    *The Former Board of Trustees and Members of Mississippi Comp*

*Choice Self-Insurers Fund v. Mississippi Workers' Compensation  
Group Self-Insurer Guaranty Association*

(Arg.)                      Hon. John Huey Emfinger, Ruling Judge, Madison County Circuit  
Court

(5 vols.)

APPELLANT - Kathryn White, Shannon Law Firm, PLLC,  
Hazlehurst

APPELLEE - Jennifer Scott and John D. Price, Wise Carter Child &  
Caraway, P.A., Jackson

**1:30 PM**  
**(THIRTY MINUTES PER SIDE)**

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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, NOVEMBER 30, 2016**

**2014-DP-00177-SCT**     *James Cobb Hutto, III a/k/a James C. Hutto, III a/k/a James Cobb Hutto a/k/a James C. Hutto a/k/a James Hutto, III a/k/a James Hutto a/k/a Jamie Hutto a/k/a The Hitman v. State of Mississippi*

(Arg.)     Hon. William A. Gowan, Jr., Ruling Judge, Hinds County Circuit Court

(30 vols.)

APPELLANT - Andre de Gruy, Office of State Public Defender, Jackson

APPELLEE - LaDonna Holland, Office of the Attorney General, Jackson

**1:30 PM**  
**(THIRTY MINUTES PER SIDE)**

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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, DECEMBER 07, 2016**

**2015-EC-01677-SCT**    *Tasha Dillon v. David Myers*

(Arg.)                      Hon. James D. Bell, Ruling Judge, Pike County Circuit Court  
                                  (2 vols.)  
                                  APPELLANT - Pieter Teeuwissen, Jackson  
                                  APPELLEE - Brandon Jones, Jackson

**1:30 PM**  
**(THIRTY MINUTES PER SIDE)**

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**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**TUESDAY, DECEMBER 13, 2016**

**2016-CA-00101-SCT** *Quindon D. Thomas and Latara S.J. Thomas v. Chevron U.S.A.,*

*Inc. and Dwayne Haisch*

(Arg.) Hon. Robert P. Krebs, Ruling Judge, Jackson County Circuit Court  
(4 vols.)

APPELLANT - James Reeves, Jr., Lumpkin Reeves and Mestayer,  
PLLC, Biloxi

APPELLEE - Michael Bentley, Bradley Arant Boult Cummings  
LLP, Jackson

**10:00 AM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
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**MASTER DOCKET CALENDAR**  
**SIXTH SITTING - NOVEMBER 07 - DECEMBER 30, 2016**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, DECEMBER 14, 2016**

**2015-CA-01066-SCT**    *American Optical Corporation v. Robert Lee Rankin, Jr.*

(Arg.)                      Hon. Lamar Pickard, Ruling Judge, Jefferson County Circuit Court  
                                  (72 vols.)  
                                  APPELLANT - Michael Bentley, Bradley Arant Boult Cummings  
                                  LLP, Jackson  
                                  APPELLEE - David McCarty, David Neil McCarty Law Firm,  
                                  PLLC, Jackson

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**